

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1669 of 2017

Arising Out of PS.Case No. -75 Year- 2016 Thana -SC/ST District- SASARAM (ROHTAS)

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1. Sunil Prasad,
2. Sudhir Prasad, Both are sons of Late Surya Nath Lal, All are resident of
Village- Gamhariya, P.S.- Nasriganj, District- Rohtas (Sasaram).

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pawan Kumar Singh, Adv.

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-07-2017 This appeal is for grant of regular bail in connection

with SC/ST P.S. Case No. 75 of 2016 registered for the offences

under section(s) 341, 323, 379, 504, 506/34 of the Indian Penal

Code and section(s) 3(i) (r) (s) of the SC/ST Act.

Submission of the learned counsel for the appellants

is that there is a delay of 19 days in lodging the case and further

prior to filing of the present case, a complaint case has been filed

by appellant no. 1 against the husband of the informant under

sections 420, 468, 323, 379 and 504 of the Indian Penal Code and

as a matter of fact, there is a land dispute between the parties, vide

T.S. No. 104 of 2016, which is pending and the reasons behind the

occurrence is that a plot was purchased in the name of appellant

no. 1 and his brother and the informant has purchased some



portion of land from the brother of appellant no. 1 and due to that the dispute arose between the parties and the appellants are in custody since 18.04.2017.

Heard learned Special Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is allowed and the impugned order is set aside.

Let the appellants, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge-I, Rohtas at Sasaram in connection with SC/ST P.S. Case No. 75 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants will not induce any witness or tamper with the evidence.
- (iii) The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing



any genuine rhyme or reasons, the prosecution will have liberty to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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